

**SIXTY-FIFTH DAY**

(Wednesday, May 20, 1953)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, we have been admonished in thy word to adorn the doctrines of Christ. Teach us now that life can be made beautiful, and help us to so live today as that those about us will take knowledge of us that we have been with thee. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Reports of Standing Committees**

Senator Strauss submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 93, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman.

Senator Lock submitted the following reports:

Austin, Texas,  
May 19, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 804, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

Austin, Texas,  
May 19, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 908, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

LOCK, Chairman

Austin, Texas,  
May 19, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 869, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

Austin, Texas,  
May 19, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 37, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman

Senator Kazen submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Debts, Claims and Accounts, to whom was referred H. B. No. 459,

have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed as amended.

KAZEN, Chairman

Senator Aikin submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 880, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman

Senator Martin submitted the following reports:

Austin, Texas,  
May 19, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 138, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman

Austin, Texas,  
May 19, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 588, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman

#### Bill Signed

The President signed in the presence of the Senate, after the caption had been read, the following enrolled bill:

H. B. No. 757, A bill to be entitled "An Act to create a County Criminal Court for Tarrant County, Texas; etc., and declaring an emergency."

Senate Bill 353 on First Reading

Senator McDonald moved that Sen-

ate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	McDonald
Ashley	Moffett
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagon seller
Lock	Weinert
Martin	

#### Absent

Moore	Willis
Sadler	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator McDonald:

S. B. No. 353, A bill to be entitled "An Act amending Article 128 of the Revised Civil Statutes of Texas, 1925, as amended, so as to permit the Commissioner of Agriculture to enter into reciprocal agreements with responsible officers of other states; providing a saving clause; and declaring an emergency."

To the Committee on Counties and County Boundaries.

#### Senate Concurrent Resolution 59

Senator Kelley offered the following resolution:

S. C. R. No. 59—Designating March 1 through March 6, 1954, as Public Schools Week in Texas.

Whereas, Public Schools Week in Texas has become an annual event, having been observed during the first week of March in 1951, 1952 and 1953, with considerable increase of interest and participation of parents and school patrons each year; and

Whereas, The observance of Public Schools Week in Texas gives the citi-

zens throughout our State an opportunity to visit their public schools personally, and to obtain more knowledge about the organization and operation of Texas Public Schools, and to become better acquainted with their public school administrators and teachers; and

Whereas, The Governor of Texas for the past three years has officially designated the first week in March as Public Schools Week in Texas; and the State Board of Education has joined the Governor by adopting resolutions each of said years and on May 4, 1953, adopted a resolution designating the week of March 1 through March 6, 1954, as the Fourth Annual Public Schools Week in Texas; and the 51st and 52nd Sessions of the Texas Legislature adopted similar resolutions for 1951 and 1953; and

Whereas, The year 1954 is the Centennial Year of the founding of the Texas Public School System and has been so designated by the present Legislature, through the adoption of Senate Concurrent Resolution No. 45, and by the Governor of Texas, and the State Board of Education; and

Whereas, It is the sentiment of the Texas Legislature that a continuing sound and progressive system of public education requires the active interest and understanding of all our citizens and this type of interest and understanding can best be developed by personal inspections of our schools and personal contacts with the administrators and teachers; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Legislature join with the Governor of Texas and the Texas State Board of Education in designating the week of March 1 through March 6, 1954, as Public Schools Week in Texas and that we urge all Texans to visit a public school during this period of the Centennial Year of the inauguration of the Texas Public School Systems, in order to participate in this state-wide program and to become personally acquainted with the accomplishments of our Public School System which has contributed continuously and substantially to the progressive, social, economic and moral development of the State of Texas and to the public interest of all Texans.

KELLEY  
MOFFETT  
AIKIN

The resolution was read.

On motion of Senator Kelley and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Resolution 290

Senator Parkhouse offered the following resolution:

Whereas, The Senate of the State of Texas wishes to recognize and honor Mr. Fred M. Lange, Vice-President and Executive Director of the Dallas Community Chest, for having devoted twenty years of service to the welfare of Texas; and

Whereas, Mr. Lange joined the Salvation Army as a soldier in 1933, and since that time there is almost no corner of Texas that has not been served in some way by this man who has made the most of a rare ability to interpret the health and welfare needs of the underprivileged to the people who could help to meet those needs; and

Whereas, Mr. Lange served only briefly in the Salvation Army in San Antonio before his talents for raising money were recognized and he was transferred to Dallas, Texas, headquarters for the Army. There he was given the special title of envoy and was assigned to handle public relations, a job which included conducting campaigns throughout the State. In the seven years that he worked for the Salvation Army, Fred Lange raised funds for ten new buildings in Texas, plus several in Louisiana and even in New Mexico; and

Whereas, in 1940, Mr. Lange became public relations secretary for the Dallas Chamber of Commerce and brought the Dallas Chamber membership to its highest total to that date; and

Whereas, The Dallas Community Chest was reorganized in 1941 and Mr. Lange was chosen its first executive director. That fall, the Chest made its goal (\$656,000) for the first time in eighteen years. The Chest not only has been successful in every campaign since then, but has come to be regarded as a pace setter for the nation, frequently going over the top before any other major Chest appeal in the country; and

Whereas, In 1945, Mr. Lange resigned as executive director of the Chest, to do a three-year term as vice-president and general manager of the Southwestern Medical Founda-

tion. The three years that he spent as general manager of the medical foundation paved the way for the establishment of Southwestern Medical School, which at first was operated by the foundation and now has been accepted as a branch of the University of Texas School of Medicine; and

Whereas, In 1948, Mr. Lange began his second tenure as executive director of the Dallas Community Chest, a position he has held since that time, and this year was elected a vice-president of the Chest in addition to other duties; and

Whereas, Mr. Lange has not limited his activities to serving those causes in which he had professional interest. He has been most generous in helping numerous worthy causes, and in these twenty years he has managed or helped organize campaigns which have produced in excess of \$23,850,000.00 for the health and welfare programs of Texas; and

Whereas, Fred Lange directed the first war campaign of the Red Cross in Dallas, raising \$600,000.00. As Treasurer of the Texas Social Welfare Association, he helped put that organization on a sound financial basis. He has worked to raise funds for the USO, The Conference of Christians and Jews, and numerous other similar organizations; and

Whereas, Fred Lange tempers his practicality with a deep sense of religious devotion. His father was a Baptist minister in New Jersey, serving one church for thirty-two years. Mr. Lange is an active leader in the First Baptist Church in Dallas, but does not limit his religious duty to that denomination alone. He has worked tirelessly for causes of other denominations and of Jewish and Catholic faiths; and

Whereas, In Fred Lange, in a measure, is wrapped up a community's conscience, a community's sense of taking care of its own, of accepting the responsibility of helping those who cannot help themselves. Twenty years devoted to service has not dimmed Fred Lange's enthusiasms. He has dedicated his life to this cause and he pursues that dedication with a determination that leaves many of his associates breathless; and now, therefore, be it

Resolved, That the Senate of the Fifty-third Legislature extend to Mr. Fred M. Lange their heartiest congratulations and best wishes for his

fine contribution to his City, County and State; and be it further

Resolved, That an enrolled copy of this resolution be sent to Mr. Lange in honor of his worthwhile accomplishments; and that a page in the Senate Journal of today be dedicated to him.

The resolution was read and was adopted.

#### House Bill 908 Ordered Not Printed

On motion of Senator Weinert, and by unanimous consent of the Senate, H. B. No. 908 was ordered not printed.

#### House Bill 325 Re-referred

On motion of Senator Hardeman, and by unanimous consent of the Senate, H. B. No. 325 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties and County Boundaries.

#### Senate Bill 291 With House Amendments

Senator Strauss called S. B. No. 291 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Strauss moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	McDonald
Ashley	Moffett
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	

#### Absent

Moore	Willis
Sadler	

**House Bill 314 on Third Reading**

On motion of Senator Secrest, and by unanimous consent of the Senate, the President laid before the Senate for consideration at this time on its third reading and final passage the following bill:

H. B. No. 314, A bill to be entitled "An Act amending subsection (d) of Section 2 of Subdivision I of Article I of Chapter 421, page 967, of the Acts of the 50th Legislature, being also known as the subsection (d) of Section 2 of Subdivision I of Article I of Article 6701d of Vernon's Revised Civil Statutes of Texas, 1925, to include ambulances, and emergency vehicles of municipal departments and public services corporation designated by governing bodies of incorporated cities, within the definition of 'Authorized Emergency Vehicle'; and declaring an emergency."

The bill was read third time and passed.

**Record of Vote**

Senators Martin, Lane, Hardeman, and Bell asked to be recorded as voting "nay" on the final passage of H. B. No. 314.

**House Bill 391 on Second Reading**

On motion of Senator Rutherford, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 391, A bill to be entitled "An Act providing that bonds issued by the governing bodies of certain cities on behalf of city improvement districts may be submitted to the Attorney General for approval; providing for the registering thereof by the State Comptroller; repealing all laws in conflict; providing a saving clause; and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 391 on Third Reading**

Senator Rutherford moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 391 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	

**Absent**

Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Motion to Place House Bill 636 on Second Reading**

Senator Ashley asked unanimous consent to suspend the regular order of business to take up for consideration at this time H. B. No. 636.

There was objection.

(Senator Aikin in the Chair.)

Senator Ashley then moved to suspend the regular order of business to take up for consideration at this time H. B. No. 636.

The motion was lost by the following vote:

**Yeas—12**

Aikin	Martin
Ashley	McDonald
Hardeman	Sadler
Hazlewood	Strauss
Lane	Wagonseller
Lock	Weinert

**Nays—16**

Bell	Moffett
Bracewell	Moore
Corbin	Parkhouse
Fuller	Phillips
Kazen	Rogers
Kelley	of Childress
Latimer	Rogers of Travis

Russell  
Rutherford

Shireman

Absent

Colson  
Secrest

Willis

#### Senate Bill 354 on First Reading

The following local bill was introduced, read the first time and referred to the committee indicated:

By Senator Weinert:

S. B. No. 354, A bill to be entitled "An Act making it unlawful to hunt, trap, ensnare, kill or attempt to kill, by any means whatsoever any wild deer, buck, doe or fawn in San Augustine and Sabine Counties in the State of Texas, except that it shall be lawful to hunt and kill wild buck deer in said Counties between November 16 and December 31, both dates inclusive of each year; making it lawful to use dogs in the hunting and trailing of wild buck deer during said hunting season; providing that possession of a shotgun and buckshot while hunting other than during the hunting season, shall be prima facie evidence of the violation of the terms of this Act; providing a penalty for the violation of this Act; repealing conflicting laws; and declaring an emergency."

To the Committee on Game and Fish.

#### Reports of Standing Committees

By unanimous consent, Senator Secrest submitted the following reports:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 325, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom

was referred S. B. No. 353, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

By unanimous consent Senator Fuller submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 354, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FULLER, Chairman.

By unanimous consent Senator Hazlewood submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 622, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute, attached hereto, do be passed in lieu thereof and be printed.

HAZLEWOOD, Chairman.

C. S. H. B. No. 622 was read the first time.

By unanimous consent Senator Ashley submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 498, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman.

By unanimous consent Senator Martin submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 110, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation it do not pass but that Committee Substitute therefor be reported back with the recommendation that it do pass and be printed.

MARTIN, Chairman.

C. S. H. B. No. 110 was read the first time.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 43, Granting the Board of Control permission to build a storage building on east side of the Capitol Grounds to replace old building.

S. C. R. No. 46, Authorizing the State Board of Control to enter into a contract with the San Jacinto Museum of History Association relating to the care, custody and control of the San Jacinto Memorial Tower, etc.

(With amendment.)

S. C. R. No. 58, Commending the novel "Rustler's Hill."

S. C. R. No. 35, Authorizing the State Youth Development Council to grant to The Brazos Power Electric Cooperative, Inc., a right-of-way easement for construction and maintenance of a power line across the property known as The Gatesville State School for Boys at Gatesville, Texas.

S. C. R. No. 52, Approving a proposed amendment to the Federal Power Act.

S. C. R. No. 50, Requesting the Texas Legislative Council to study the game and fish conservation laws of this State.

The House has granted the request of the Senate for the appointment of a conference committee on S. B. No. 133.

The following conferees have been appointed on the part of the House: Huffman, Berry, Stark, Carroll, Cobb, Paxton.

H. B. No. 921—An Act removing the closed season on wild pheasants in Smith County but continuing in effect the general laws prescribing the bag limit on the number of pheasants which may be taken, killed, or possessed; and declaring an emergency.

H. B. No. 922—An Act making an appropriation for the balance of the fiscal year ending August 31, 1953, to the Texas Liquor Control Board in the sum of Ten Thousand, Six Hundred and Sixty-nine Dollars and seventy-six cents (\$10,669.76) out of the Liquor Act Enforcement Fund in the State Treasury of the State of Texas; and declaring an emergency.

H. B. No. 923—An Act amending Section 5 of Chapter 311, Acts of the Fifty-second Legislature, 1951, further defining the authority of the State to accept gifts, grants, or loans for purposes of civil defense and disaster relief and to use, allocate, and distribute such gifts, grants or loans directly or to political subdivisions of the State; and declaring an emergency.

H. B. No. 924—An Act authorizing the propagation of pen-raised pheasants; defining the term "pen-raised pheasant"; requiring that the carcasses of pen-raised pheasants be marked with the name and address of the raiser before they are sold or offered for sale; providing a penalty for violation of the provisions of this Act; repealing all laws in conflict herewith and declaring an emergency.

H. J. R. No. 8, Proposing an Amendment to the Constitution of the State of Texas so as to provide that each county in the State of Texas shall have an Assessor-Collector of Taxes beginning January 1, 1955; providing for the repeal of Section 16 of Article VIII of the Constitution of Texas; providing for submission of this amendment to the voters of Texas; and providing the time, means, and manner thereof.

H. C. R. No. 118, Granting Mrs. M. B. Buford and/or George B. Lindler, et al., permission to bring suit against the State of Texas.

H. C. R. No. 120, Granting A. O. Nissen and Don Nissen permission to sue the State.

H. C. R. No. 122, Expressing appreciation to Mrs. Augusta L. Wende, Austin, Texas.

H. C. R. No. 45, Explaining Article 7066-b, as amended by Acts, 1951, Fifty-second Legislature, Chapter 402, page 695.

H. B. No. 355. An Act to amend Article 1052, Code of Criminal Procedure of Texas, 1925, as amended, so as to provide a fee of Four Dollars (\$4) to be paid the Justices of the Peace in each criminal action tried and finally disposed of before him; amending Article 1074, Code of Criminal Procedure of Texas, 1925, as amended, so as to provide a trial fee of Five Dollars and Fifty cents (\$5.50) in the Justice Courts; providing a severability clause; repealing all laws in conflict; and declaring an emergency.

H. B. No. 651—An Act creating a special court for Starr County, Texas, to be known as the Starr County Court of Domestic Relations, fixing its jurisdiction; conforming the jurisdiction of other courts thereto; providing the qualifications, and the manner of selection, tenure and compensation of the Judge; providing for a sheriff and clerk and county attorney to serve such Court; providing for the transfer of cases and proceedings; providing the manner of and grounds for removal of the Judge; providing the procedure therein; fixing the terms of such Court; providing for appeals; providing for a seal and a court reporter, and a court interpreter; repealing all laws in conflict; containing a saving clause; and declaring an emergency.

H. B. No. 683—An Act authorizing the consolidation of funds collected as taxes by the Texas Citrus Commission; the sale of the property of such Commission and the crediting of the proceeds to such funds; the payment of outstanding obligations of such commission and the costs of administering this Act from such funds; the proration of the balance among the taxpayers who contributed to such fund; appropriating

such funds for such purposes; and declaring an emergency.

H. B. No. 767—An Act amending Article 135b-1 of the Revised Civil Statutes of Texas to prevent fraud in the sale of agricultural insecticides and fungicides; providing for analysis by an approved commercial laboratory or the State Chemist; providing for a registration fee; providing for an appropriation; providing for the stop-sale order; providing a saving clause; and declaring an emergency.

H. B. No. 835—An Act validating, ratifying, confirming and approving certain contracts, scrip and time warrants authorized by counties and cities of this State since the approval by the Governor of Texas on May 3, 1947, of Chapter 173, Acts of the Fiftieth Legislature of Texas, Regular Session, 1947, upon certain specified conditions, but excepting from the validating provisions all contracts, scrip and time warrants of counties of more than three hundred and twenty-five thousand (325,000) population according to the last preceding Federal Census, and all contracts, scrip and time warrants the validity of which is involved in litigation upon the effective date of this Act; repealing all General and Special Laws in conflict; and declaring an emergency.

H. B. No. 882—An Act fixing the salaries and manner of payment of same of certain officials in certain counties; repealing all laws in conflict herewith; and declaring an emergency.

H. B. No. 912—An Act to amend Sections 4, 9, 14, 17, and 18 of Chapter 309, Acts of the Regular Session of the Fifty-second Legislature, creating the Lower Rio Grande Authority, and to validate the boundaries and all proceedings had in connection with said Authority; etc.; and declaring an emergency.

H. B. No. 919—An Act to validate the establishment, organization, and/or creation of all school districts; validating the acts of county boards of school trustees, county judges, Commissioners Courts, boards of trustees of such school districts; and municipal governing bodies; validating tax elections, bond elections, bond assumption elections, and all bonds voted, authorized, and/or now outstanding of said districts; authorizing

the levy, assessment, and collection of taxes; providing that this Act shall not apply to certain districts involved now or previously involved in litigation or to districts involved in certain proceedings now pending before the State Board of Education, or to districts which may have been established and which later returned to original status; providing a saving clause; and declaring an emergency.

H. B. No. 920—An Act validating county-wide election proceedings heretofore had for the issuance of county bonds for purposes of flood control, drainage, or irrigation, with certain exceptions; providing for the issuance of said bonds and the approval and registration thereof and conditions relating thereto; providing for the refunding of such bonds; providing that such bonds are obligations under Section 52, Article III, or under Section 59, Article XVI, Constitution of Texas; repealing laws conflicting or inconsistent with this Act and repealing Article 822, Revised Civil Statutes, 1925; containing a severability clause; and declaring an emergency.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

#### House Bill 114 on Second Reading

On motion of Senator Moffett, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 114, A bill to be entitled "An Act making an emergency appropriation to the State Department of Agriculture for the operating expenses for the remainder of the fiscal year ending August 31, 1953, provided for its expenditures under the general provisions of House Bill No. 426, Regular Session, Fifty-second Legislature; and declaring an emergency."

The bill was read second time and passed to third reading.

(President in the Chair.)

#### House Bill 114 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 114

be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

#### House Bills on First Reading

The following bills, received from the House, were read the first time and were referred to the committees indicated:

H. B. No. 912, To the Committee on Water Rights, Irrigation and Drainage.

H. B. No. 922, To the Committee on Finance.

H. B. No. 683, To the Committee on Agricultural Affairs.

H. B. No. 920, To the Committee on Counties and County Boundaries.

**House Bill 825 on Second Reading**

Senator Bell asked unanimous consent to suspend the regular order of business to take up for consideration at this time on its second reading and passage to third reading H. B. No. 825.

There was objection.

Senator Bell then moved to suspend the regular order of business to take up for consideration at this time H. B. No. 825.

The motion prevailed by the following vote:

**Yeas—26**

Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
McDonald	

**Nays—3**

Aikin	Willis
Martin	

**Absent**

Russell	Rutherford
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The President laid before the Senate for consideration at this time the following bill:

H. B. No. 825, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act and further regulate and control alcoholic beverages; providing a savings clause; repealing laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Bell offered the following committee amendment to the bill.

Amend House Bill 825 by deleting all of Section 1.

The committee amendment was adopted.

Senator Bell offered the following committee amendment to the bill:

Amend House Bill 825 by deleting all of Section 2.

The committee amendment was adopted.

Senator Bell offered the following committee amendment to the bill:

Amend House Bill 825 (original bill), Section 6, lines 4, 5 and 6, page 9, by striking out the following words: "except an Importer's License or an Importer's Carrier License, which shall be renewed on direct application to the Board."

The committee amendment was adopted.

Senator Bell offered the following committee amendment to the bill:

Amend H. B. No. 825 by striking out Section 3 and inserting in lieu thereof the following:

"(22). It shall be unlawful for any person to use or to exercise any privilege granted by a permit except at the place, address, premise, or location for which the permit is granted; provided, however, that the holder of a Package Store Permit or Wine Only Package Store Permit issued to a location within a city or town or within two (2) miles of the corporate limits of such city or town, who is also the holder of a Local Cartage Permit as provided in this Article, may make by the most direct route deliveries of and collections for alcoholic beverages off the premises covered by the Permit in areas where the sale thereof is not prohibited under the local option provision of this Act, but only in the city or the two (2) mile limit thereof, and only on bona fide orders placed by the customer in person at the premises covered by the permit or upon orders placed by mail, written orders, telegraph, or telephone to such premises, provided further, however, nothing in this Act shall prevent the holder of a Package Store Permit or a Wine Only Package Store Permit from delivering alcoholic beverages to the holder of a Carriers Permit for transportation to persons legally authorized to purchase alcoholic beverages from such permittees." Should any holder of a Local Cartage Permit who is also the holder of a Package

Store Permit or Wine Only Package Store Permit violate any provisions of the Texas Liquor Control Act, as amended, or any Rule or Regulation of the Board made pursuant thereto such violation shall constitute grounds for the suspension or cancellation of any or all permits and licenses held by such person."

The committee amendment was adopted.

Senator Bell offered the following committee amendment to the bill:

Amend H. B. 825 by striking out all of Sec. 14-A, same being all of lines 3 to 28, inclusive, on page 29, and lines 1 to 9, inclusive, on page 30, of the original bill.

The committee amendment was adopted.

Senator Bell offered the following amendment to the bill:

Amend H. B. 825 by renumbering Section 3 of the bill so as to number it Section 1 of the bill.

The amendment was adopted.

Senator Bell offered the following amendment to the bill:

Amend H. B. No. 825 by inserting the following sections to the bill reading and numbered as follows, and by renumbering the succeeding sections to conform:

"Section 2. Sec. 32 of Article I of the Texas Liquor Control Act is hereby amended so that the same shall hereinafter read as follows:

"Sec. 32. The Commissioners Court of each county in the State upon proper petition may order an election wherein the qualified voters of any county or of any justice precinct or incorporated town or city may by the exercise of local option determine whether or not the sale of alcoholic beverages of one or more of the various types and alcoholic content shall be prohibited or legalized within the prescribed limits of such county, justice precinct, or incorporated town or city; and local option elections shall be called by the Commissioners Court upon proper petition as herein provided. Upon the written application of any one or more qualified voters of any county, justice precinct, or incorporated town or city, the county clerk of such county shall issue to the applicant or applicants a petition

to be circulated among the qualified voters thereof for the signatures of those qualified voters in such area who desire that a local option election be called therein for the purpose of determining whether the sale of alcoholic beverages of one or more of the various types and alcoholic content shall be prohibited or legalized within the prescribed limits of such county, justice precinct or incorporated town or city. The petition so issued shall clearly state the issue to be voted upon in such election; each such petition shall show the date of its issue by the county clerk and shall be serially numbered, and each page of such petition shall bear the same date and serial number, and shall bear the seal of the county clerk. The county clerk shall deliver as many copies of said petition as may be required by the applicant and each copy shall bear the date, number and seal on each page as required in the original. The county clerk shall keep a copy of each such petition and a record of the applicants therefor. When any such petition so issued shall within one hundred twenty (120) days after the date of issue be filed with clerk of the Commissioners Court bearing the actual signature of as many as twenty (20%) per cent of the qualified voters in any such county, justice precinct, incorporated town or city, together with a notation showing the residence address of each of the said signers taking the vote for Governor at the last preceding general election at which time presidential electors were elected as the basis for determining the qualified voters in any such county or political subdivision, it is hereby required that the Commissioners Court at its next regular session shall order a local option election to be held upon the issue set out in such petition. It shall be the duty of the county clerk to check the names of the signers of any such petition and the voting precincts in which they reside to determine whether or not the signers of such petition are in fact qualified voters of the county or political subdivision at the time such petition is presented, and to certify to the Commissioners Court the number of qualified voters signing such petition. No signature shall be counted where there is reason to believe that it is not the actual signature of the purported signer. The minutes of the Commissioners Court shall record the date any such petition is presented,

the names of the signers thereof, and the action taken with relation to the same. No subsequent election upon the same issue in the same political subdivision shall be held within one (1) year from the date of the preceding local option election in any county or political subdivision thereof, and no election shall be held in any area to prohibit the sale of any alcoholic beverages of any type or alcoholic content which is already prohibited in the entire area.

"Section 3. Sec. 33 of Article I of the Texas Liquor Control Act is hereby amended so that the same shall hereinafter read as follows:

"Sec. 33. When the Commissioners Court shall order an election as herein provided for, it shall be the duty of said court to order such election to be held at the voting places within such county or subdivision thereof, upon a day not less than twenty (20) nor more than thirty (30) days from the date of said order, and the order thus made shall state the issue to be voted upon in such election, and said order shall be held to be prima facie evidence that all provisions necessary to give it validity or to clothe the court with jurisdiction to make it valid, have been duly complied with; provided that such court shall appoint such officers to hold such elections as are now required to hold general elections.

"Section 4. Sec. 35 of Article I of the Texas Liquor Control Act is hereby amended so that the same shall hereinafter read as follows:

"Sec. 35. (a). At said election the vote shall be by official ballot which shall have printed or written thereon at the top thereof in plain letters the words "Official Ballot." Said ballot shall have also written or printed thereon the issue appropriate to the election order as provided in Section 40 of this Act, and the clerk of the court shall furnish the presiding officer of each voting box within such subdivision or county with a number of such ballots, to be not less than twice the number of qualified voters at such voting boxes, and the presiding officer of each voting box shall write his name on the back of each ballot before delivering the same to the voter, and each person offering to vote at each election shall, at the time he offers to vote, be furnished by such presiding officer with one such ballot; and no voter shall

be permitted to depart with such ballot and shall not be assisted in voting by any person except such presiding officer or by some officer assisting in the holding of such election, under the direction of such presiding officer when requested to do so by such voter.

"(b). In elections to legalize the sale of alcoholic beverages those in favor of such legalization shall erase the words "Against the legal sale of, etc.," by marking a pencil mark through same; and those who oppose such legalization shall erase the words "For the legal sale of, etc.," by marking a pencil mark through same.

"In elections to prohibit the sale of alcoholic beverages those who favor such prohibition shall erase the words "For the legal sale of, etc.," by marking a pencil mark through same; and those who oppose such prohibition shall erase the words "Against the legal sale of, etc.," by marking a pencil mark through same. No ballot shall be received or counted by the officers at such elections that is not an official ballot, and that has not the name of the presiding officer of such election written thereon in the handwriting of such presiding officer as provided by this Act.

"Section 5. Sec. 36 of Article I of the Texas Liquor Control Act is hereby amended so that the same shall hereinafter read as follows:

"Sec. 36. The officers holding such election shall, in all respects not herein specified, conform to the General Election Laws in force regulating elections and after the polls are closed proceed to count the votes and within twenty-four (24) hours thereafter make due report of said election to the aforesaid Court. The provisions of the General Election Laws shall be followed in calling and conducting said election where not inconsistent herewith.

"Section 6. Sec. 37 of Article I of the Texas Liquor Control Act is hereby amended so that the same shall hereinafter read as follows:

"Sec. 37. Said court shall hold a special session on the fifth day after holding of said election, or as soon thereafter as practicable, for the purpose of canvassing the votes and certifying the results, and if a majority of the voters favor the issue "Against the legal sale, etc." as to

any alcoholic beverages of the various types and alcoholic content, said court shall immediately make an order declaring the results of said vote and absolutely prohibiting the sale of such prohibited type or types of alcoholic beverages within the political subdivision after thirty (30) days from the date of declaring the results thereof, and thereafter until such time as the qualified voters therein may thereafter at the legal election held for such purpose by a majority vote decide otherwise; and the order thus made shall be held as prima facie evidence that all provisions of law have been complied with in giving notice of and holding said election and counting and returning the votes and declaring the results thereof.

"Section 7. Sec. 39 of Article I of the Texas Liquor Control Act is hereby amended so that the same shall hereinafter read as follows:

"Sec. 39. If a majority voting at such election favor the issue "For the legal sale, etc." as to any alcoholic beverages of the various types and alcoholic content, the court shall make an order declaring the results and have the same entered of record in the office of the clerk of said court, whereupon it shall be lawful in such political subdivision to manufacture, sell or distribute such type or types of alcoholic beverages as may be favored in the election in accordance with the terms of this Act, until such time as the qualified voters therein may thereafter, at a legal election held for that purpose, by a majority vote decide otherwise, and the order thus made shall be held prima facie evidence that all the provisions of law have been complied with in giving notice of and holding said election and counting and returning the votes and declaring the results thereof. It shall be the duty of the county clerk within three (3) days after the results of any such election have been declared to certify such results to the Secretary of State at Austin.

"Section 8. Sec. 40 of Article I of the Texas Liquor Control Act is hereby amended so that same shall hereafter read as follows:

"Sec. 40. The Commissioners' Court upon petition as herein provided shall, as provided in Section 32, Article I, order local option elections for the purpose of determining whether alcoholic beverages of the various types

and alcoholic contents herein provided, shall be legalized or prohibited.

"In areas where any type or classification of alcoholic beverages is prohibited and the issue submitted pertains to legalization of the sale of one or more such prohibited types or classifications, one of the following issues shall be submitted:

(a) "For the legal sale of beer" and "Against the legal sale of beer."

(b) "For the legal sale of beer for off-premise consumption only" and "Against the legal sale of beer for off-premise consumption only."

(c) "For the legal sale of beer and wine" and "Against the legal sale of beer and wine."

(d) "For the legal sale of beer and wine for off-premise consumption only" and "Against the legal sale of beer and wine for off-premise consumption only."

(e) "For the legal sale of all alcoholic beverages" and "Against the legal sale of all alcoholic beverages."

(f) "For the legal sale of all alcoholic beverages for off-premise consumption only" and "Against the legal sale of all alcoholic beverages for off-premise consumption only."

"In areas where the sale of all alcoholic beverages has been legalized one of the following issues shall be submitted in any prohibitory election:

(g) "For the legal sale of beer" and "Against the legal sale of beer."

(h) "For the legal sale of beer for off-premise consumption only" and "Against the legal sale of beer for off-premise consumption only."

(i) "For the legal sale of beer and wine" and "Against the legal sale of beer and wine."

(j) "For the legal sale of beer and wine for off-premise consumption only" and "Against the legal sale of beer and wine for off-premise consumption only."

(k) "For the legal sale of all alcoholic beverages" and "Against the legal sale of all alcoholic beverages."

(l) "For the legal sale of all alcoholic beverages for off-premise consumption only" and "Against the legal sale of all alcoholic beverages for off-premise consumption only."

"In areas where the sale of beverages containing alcohol not in excess of fourteen (14%) per centum by volume has been legalized, and

those of higher alcoholic content are prohibited, one of the following issues shall be submitted in any prohibitory election:

(m) "For the legal sale of beer" and "Against the legal sale of beer."

(n) "For the legal sale of beer for off-premise consumption only" and "Against the legal sale of beer for off-premise consumption only."

(o) "For the legal sale of beer and wine" and "Against the legal sale of beer and wine."

(p) "For the legal sale of beer and wine for off-premise consumption only" and "Against the legal sale of beer and wine for off-premise consumption only."

"In areas where the sale of beer containing alcohol not exceeding four (4%) per centum by weight has been legalized, and all other alcoholic beverages are prohibited, one of the following issues shall be submitted in any prohibitory election:

(q) "For the legal sale of beer" and "Against the legal sale of beer."

(r) "For the legal sale of beer for off-premise consumption only" and "Against the legal sale of beer for off-premise consumption only."

"Wine, as referred to in (c) (d) (i) (j) (o) and (p) of this Sec. 40, shall mean and include malt and vinous beverages that do not contain alcohol in excess of fourteen (14%) per centum by volume.

"Vinous and malt liquor, containing not more than fourteen (14%) per centum alcohol by volume, and beer, which are sold or dispensed to the public in unbroken, sealed and individual containers are hereby declared to be a separate and distinct type and kind of alcoholic beverage and where the sale of alcoholic beverages has been legalized for off-premise consumption only, the sale or consumption of any other type or kind of alcohol beverages on the licensed premises shall be unlawful."

The amendment was adopted.

#### Record of Vote

Senators Colson and Lock asked to be recorded as voting "nay" on the adoption of the above amendment.

Senator Willis offered the following amendment to the bill:

Amend H. B. No. 825 by adding a new section to be numbered Section 2a, to read as follows:

Sec. 2a. Article I of the Texas Liquor Control Act, as amended, is hereby amended by adding thereto immediately following Section 3-a a new section to be numbered Section 3-b, to read as follows:

"Section 3-b. Ice cream containing more than one-half of one per cent ( $\frac{1}{2}$  of 1%) of alcohol by volume is hereby declared to come within the definition of 'Alcoholic Beverages' as used in this Act."

On motion of Senator Strauss, the amendment was tabled.

Senator Willis offered the following amendment to the bill:

Amend H. B. No. 825 by striking out all of Section 14 and renumbering the following sections in proper numerical sequence.

On motion of Senator Bell, the amendment was tabled.

Senator Willis offered the following amendment to the bill:

Amend H. B. No. 825 by inserting the following new paragraph between lines 12 and 13 of page 7 of the printed bill which shall read as follows:

"(34). The presence of any gambling paraphernalia on the premises as defined by the present State laws of Texas shall be cause for cancellation of all State licenses held by licensee."

Senator Bell raised the point of order that the amendment was not germane to the bill.

The President sustained the point of order.

On motion of Senator Bell and by unanimous consent of the Senate the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### Record of Vote

Senators Moffett, Willis and Aikin asked to be recorded as voting "nay" on the passage of H. B. No. 825 to third reading.

(President pro tempore in Chair.)

#### House Bill 825 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be

read on three several days be suspended and that H. B. No. 825 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—23

Ashley	McDonald
Bell	Moore
Bracewell	Parkhouse
Corbin	Phillips
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Strauss
Lane	Wagonseller
Latimer	Weinert
Lock	

## Nays—5

Aikin	Rogers
Martin	of Childress
Moffett	Willis

## Absent

Colson	Shireman
Russell	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—16

Ashley	Kelley
Bell	Latimer
Bracewell	Moore
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Rogers of Travis
Hazlewood	Strauss
Kazen	Weinert

## Nays—13

Aikin	Rogers
Colson	of Childress
Lane	Russell
Lock	Sadler
Martin	Secrest
McDonald	Wagonseller
Moffett	Willis

## Absent

Rutherford	Shireman
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## Reports of Standing Committees

By unanimous consent, Senator Hardeman submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, to whom was referred H. B. No. 912, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

By unanimous consent, Senator Moffett submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 683, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

By unanimous consent, Senator Secrest submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 920, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

By unanimous consent, Senator Lock submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 922, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

**Message From the House**

Hall of the House of Representatives.

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 37, A resolution proposing an amendment to Article III of the Constitution of the State of Texas by adding thereto another Section to be designated Section 51g; providing that the Legislature shall have the power to pass such laws as may be necessary to enable the State to enter into agreements with the Federal Government to obtain coverage for employes of the State and its political subdivisions and for the employees of any joint instrumentality of this State and any other State or States under the old age and survivors insurance provisions of the Federal Social Security Act; providing the Legislature may appropriate funds for the purpose of carrying out such agreements and may authorize the obligations necessary to obtain such coverage; prescribing the form of the ballot; providing for the proclamation and publication thereof.

H. B. No. 453, A bill to be entitled "An Act amending Articles 7492 of Chapter 1 of Title 128 of the Revised Civil Statutes of Texas, 1925, providing for the filing of applications for the appropriation of unappropriated water of the State; with certain exceptions; providing the Act shall not be construed to affect any vested rights of owners of certain lands; and declaring an emergency."

S. B. No. 332, A bill to be entitled "An Act to provide for the issuance by the State Highway Department of special license tags to owners of passenger motor vehicles who operate mobile amateur radio equipment therein, and who have Federal Communication Commission authority; etc., and declaring an emergency."

(With amendments.)

S. B. No. 252, A bill to be entitled "An Act providing that "Municipality" as used herein means any county, school district; incorporated district, city, town, or village or other incor-

porated political subdivision of this State; authorizing any municipality, after notice and competitive bidding, to execute, under certain restrictions, oil, gas and mineral leases upon lands or minerals, or any interest therein, owned or claimed by such municipality and providing the method for advertising for bids; etc., and declaring an emergency."

(With amendments.)

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

**House Bill 325 Ordered Not Printed**

On motion of Senator Hardeman and by unanimous consent of the Senate, H. B. No. 325 was ordered not printed.

**Presentation of Guests**

Senator Strauss, by unanimous consent, presented the fifth and sixth grade classes of St. Michael School of Weimer and their teacher, Sister Marietta, to the Members of the Senate.

**Senate Resolution 291**

Senator Aikin offered the following resolution:

Whereas, Hon. John Copeland, Commissioner of Precinct 2 of Lamar County and Mr. Shelby Bledsoe, one of the outstanding citizens of Lamar County, are visiting at the Capitol today, and

Whereas, The Senate is delighted to have these two fine citizens as our guests today; now, therefore, be it Resolved, That they be extended the privileges of the floor for today.

The resolution was read and was adopted.

Senator Aikin presented Mr. Copeland and Mr. Bledsoe to the Members of the Senate.

**House Bill 132 on Second Reading**

Senator Parkhouse asked unanimous consent to suspend the regular order of business to take up for consideration at this time on its second reading and passage to third reading H. B. No. 132.

There was objection.

Senator Parkhouse then moved to

suspend the regular order of business to take up H. B. No. 132.

The motion prevailed by the following vote:

**Yeas—20**

Aikin	Moffett
Ashley	Parkhouse
Bell	Rogers
Colson	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Sadler
Kelley	Secrest
Latimer	Strauss
Lock	Weinert
McDonald	

**Nays—10**

Bracewell	Moore
Corbin	Phillips
Fuller	Shireman
Lane	Wagonseller
Martin	Willis

**Absent**

Rutherford

(President in the Chair.)

The President laid before the Senate for consideration at this time the following bill:

H. B. No. 132, A bill to be entitled "An Act to amend the subject matter embraced in subsection (d) of Section 5 of the Texas Unemployment Compensation Act as amended (section 3 of H. B. 417, Chapter 148, page 282, Acts of the 51st Legislature, Regular Session), providing that an individual shall be disqualified for unemployment compensation benefits where his unemployment is due to a stoppage of work; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

**Record of Votes**

Senators Willis, Moore, Fuller, Phillips, Shireman, Lane and Corbin asked to be recorded as voting "nay" on passage of H. B. No. 132 to third reading.

**Motion to Place House Bill 132 on Third Reading**

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 132 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths of votes of the Members present.)

**Yeas—17**

Aikin	McDonald
Bell	Moffett
Colson	Parkhouse
Hardeman	Rogers of Travis
Hazlewood	Sadler
Kazen	Secrest
Kelley	Strauss
Latimer	Weinert
Lock	

**Nays—13**

Bracewell	Rogers
Corbin	of Childress
Fuller	Russell
Lane	Rutherford
Martin	Shireman
Moore	Wagonseller
Phillips	Willis

**Absent**

Ashley

**House Bill 110 Ordered Not Printed**

On motion of Senator Lock and by unanimous consent of the Senate H. B. No. 110 was ordered not printed.

**Recess**

On motion of Senator Weinert, the Senate at 11:58 o'clock a. m. took recess until 2:30 o'clock p. m. today.

**After Recess**

The President called the Senate to order at 2:30 o'clock p. m. today.

**House Bills 922, 920, 683 and 912 Ordered not Printed**

On motion of Senator Kelley, and by unanimous consent of the Senate, House Bills Nos. 922, 920, 683 and 912 were ordered not printed.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 48, A resolution relating to the orderly development of the physical property of the State of Texas located at Austin, Texas.

H. B. No. 447, A bill to be entitled "An Act amending Chapter 1 of Title 128 of the Revised Civil Statutes of Texas, 1925, by adding Article 7519a, cancelling all permits and certified filings for the appropriation and use of public waters granted or filed more than ten (10) years prior to the effective date of this Act and under which no part of such water has been put to beneficial use for ten (10) consecutive years next preceding the effective date of this Act; defining the term 'certified' filing; and declaring an emergency."

With engrossed riders.

S. C. R. No. 44, A resolution providing for a committee of 18 interested citizens to coordinate the study and preservation of historical Texas documents.

H. C. R. No. 121, A resolution authorizing the Enrolling Clerk to make certain changes in H. B. No. 70.

H. C. R. No. 98, A resolution directing the Texas Legislative Council to inventory the lands owned by the State and compile information relating thereto.

H. C. R. No. 112, A resolution requesting the Legislative Budget Board to study the program needs, facilities, and costs of operating the State Hospital for Crippled and Deformed Children (a part of the University of Texas Medical Branch) and to compile information and make recommendations relating.

H. C. R. No. 117, A resolution proposing that April 10th be declared a holiday for teachers in the State of Texas.

S. C. R. No. 59, A resolution designating March 1-6, 1954, as Public Schools Weeks in Texas.

The House has concurred in Senate amendments to House Bill No. 559 by vote of 118 yeas, 0 nays.

The House has adopted the Conference Committee Report on S. B. No. 71 by a vote of 115 yeas, 1 nay.

The House has concurred in Senate amendments to H. B. No. 163 by a vote of 116 yeas, 1 nay.

The House has concurred in Senate amendments to H. B. No. 389 by a vote of 127 yeas, 0 nays.

The House has concurred in Senate amendments to H. B. No. 890 by a vote of viva voce.

The House has concurred in Senate amendments to H. B. No. 868 by vote of 130 yeas, 0 nays.

The House has concurred in Senate amendments to H. B. No. 11 by vote of 99 yeas, 9 nays.

H. C. R. No. 126, A resolution suspending the joint rules of the House so as to permit the House to take up and consider H. B. No. 925 at any time.

H. C. R. No. 125, A resolution suspending the joint rules.

H. C. R. No. 114, A resolution suspending the joint rules.

S. B. No. 228, A bill to be entitled "An Act creating an additional District Court for Angelina, Cherokee and Nacogdoches Counties, Texas, to be known as the 140th District Court; adjusting the business of the 2nd District Court to the business thereof; etc., and declaring an emergency."

S. B. No. 300, A bill to be entitled "An Act amending subdivision (b) of Article 16.06, Article 16.07 and Article 16.11 of S. B. No. 236, known as the Insurance Code, Acts 1951, 52nd Legislature; providing severability; and declaring an emergency."

S. B. No. 265, A bill to be entitled "An Act relating to financing the completion of construction of buildings and other permanent improvements for the M. D. Anderson Hospital for Cancer Research, and to the equipment and furnishing of such buildings; authorizing additional purposes for which funds previously appropriated to said M. D. Anderson Hospital may be expended; etc., and declaring an emergency."

S. B. No. 317, A bill to be entitled "An Act creating an additional District Court in and for the Counties of Gonzales, Colorado, Lavaca and Guadalupe to be known as the 149th Judicial District, adjusting the business at the 25th Judicial District Court to the business thereof; etc., and declaring an emergency."

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

### House Bills and Resolutions First Readings

The following bills and resolutions, received from the House, were read first time and referred to the committees indicated:

H. J. R. No. 8, To Committee on Constitutional Amendments.

H. J. R. No. 37, To Committee on Constitutional Amendments.

H. B. No. 453, To Committee on Water Rights, Irrigation and Drainage.

H. B. No. 921, To Committee on Game and Fish.

H. B. No. 835, To Committee on Counties and County Boundaries.

H. C. R. No. 45, To Committee on State Highways and Motor Traffic.

H. C. R. No. 118, To Committee on Counties and County Boundaries.

H. C. R. No. 120, To Committee on Counties and County Boundaries.

H. B. No. 355, To Committee on Civil Jurisprudence.

H. B. No. 651, To Committee on Judicial Districts.

H. B. No. 767, To Committee on Agricultural Affairs.

H. B. No. 882, To Committee on Counties and County Boundaries.

H. B. No. 919, To Committee on Educational Affairs.

H. B. No. 923, To Committee on Counties and County Boundaries.

H. B. No. 924, To Committee on Counties and County Boundaries.

H. B. No. 447, To Committee on Water Rights, Irrigation and Drainage.

### Senate Concurrent Resolution 60

Senator Shireman offered the following resolution:

S. C. R. No. 60—Recalling S. B. No. 42 from the Governor's office.

Whereas, S. B. No. 42 passed the Senate and House and is now on the Governor's desk; and

Whereas, The Legislature desires to

further consider the provisions of said bill; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Governor be requested respectfully to return S. B. No. 42 to the Senate, for further consideration; and, be it further

Resolved, That when S. B. No. 42 is returned, the action of the Speaker of the House and the President of the Senate in signing said bill be declared null and void; and that the Speaker of the House and the President of the Senate erase their names from the enrolled bill.

The resolution was read the second time and was adopted.

### House Concurrent Resolution 122 on Second Reading

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 122—Expressing appreciation to Mrs. Augusta Johnson L. Wende, Austin, Texas.

The resolution was read the second time and was adopted.

### House Bill 418 Re-referred

On motion of Senator Rogers of Travis and by unanimous consent of the Senate, H. B. No. 418 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Public Grounds and Buildings.

### Conference Committee Report on Senate Bill 71

Senator Corbin submitted the following Conference Committee Report on S. B. No. 71:

Austin, Texas,  
May 19, 1953.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Hon. Ben Ramsey, President of the Senate.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 71, have met and had same under consideration, and beg to report it back with

the recommendation that it do pass in the form attached.

CORBIN  
KELLEY  
MOORE  
WAGONSELLER  
WILLIS

On the part of the Senate.

CHAMBERS  
PARISH  
REEVES  
BERRY

On the part of the House.

S. B. No. 71, A bill to be entitled "An Act amending Article 3888, Revised Civil Statutes of Texas, 1925, as amended; amending Sections 1 and 2 of Chapter 62, Acts of the 51st Legislature, Regular Session, 1949, as amended, the same being Article 2688c, Vernon's Civil Statutes of Texas; amending Article 2701, Revised Civil Statutes of Texas, 1925, as amended; and modifying all other laws pertaining to the compensation paid county judges acting as ex-officio county superintendents so that the compensation paid to the county judges acting as ex-officio county superintendents shall be received and retained by the county judges, in addition to all other compensation provided by laws; providing that this Act shall become operative on the first day of the month immediately succeeding its effective date; providing that this Act shall be cumulative; providing a severability clause; and declaring an emergency."

Section 1. Article 3888, Revised Civil Statutes of Texas, 1925, as amended by Chapter 200, Acts of the 52nd Legislature, 1951, is hereby amended so as to hereafter read as follows:

"Art. 3888. County Judge acting as ex-officio county superintendent; assistant superintendent.—In a county where the county judge acts as ex-officio county superintendent of public instruction, he shall receive and retain in addition to all other compensation provided by law, not more than Two Thousand Six Hundred (\$2600) Dollars a year, as the county board of school trustees of the respective counties may provide, whether he is compensated on a fee or salary basis. In such a county an ex-officio assistant superintendent of public instruction shall receive not more than Two Thousand Six Hundred (\$2600.00) Dollars a year, as

the county board of school trustees of the respective counties may provide.

"The county judge while acting as ex-officio county superintendent of public instruction, for office and traveling expenses may receive an amount not to exceed One Thousand Fifty (\$1050.00) Dollars a year, as the county board of school trustees of the respective counties may provide. The above amounts shall be paid in the manner specified in Chapter 49, Acts of the 41st Legislature, Fourth Called Session, and in Chapter 175, Acts of the 42nd Legislature, Regular Session."

Sec. 2. Sections 1 and 2 of Chapter 62, Acts of the 51st Legislature, Regular Session, 1949, as amended by Chapter 208, Acts of the 52nd Legislature, 1951, the same being Article 2688c, Vernon's Civil Statutes of Texas, is hereby amended so as to hereafter read as follows:

"Section 1. From and after the effective date of this Act the duties now performed by county superintendent in all counties in this State having a population of not less than thirty thousand (30,000) according to the last preceding Federal Census and in which there are no common school districts, shall be performed by the county judges of such counties, and the office of county superintendent as such shall cease to exist, provided, however, that the county superintendents in such counties who have been heretofore elected to the office of county superintendent shall serve until the expiration of the time for which they were elected, and that thereafter the duties now performed by county superintendents in such counties shall be performed by the county judges of such counties.

"Sec. 2. In counties coming under the provisions of this Act, the county judge shall receive and retain for his services in performing the duties of county superintendent of public instruction, in addition to all other compensation provided by law, such salary as the county board of school trustees of the respective counties may provide subject to the provisions of Article 3888, Revised Civil Statutes, 1925, as amended, whether the county judge is compensated on a fee or salary basis by the county. Such salary shall be paid in the manner and from funds as provided by law for the payment of ex-officio county superintendents.

In the same manner and extent, and from the same funds, as provided in Articles 2701 and 3888, Revised Civil Statutes, 1925, as amended, the county board of school trustees in the respective counties may appoint an assistant to the ex-officio county superintendent, provide for his salary, and provide for the office and traveling expenses for the office of the ex-officio county superintendent. And the county judge, acting as county superintendent, shall perform all the duties in such counties as are not by law to be performed by county superintendents, it being the purpose of this Act to abolish, at the expiration of the term of office for which county superintendents were elected in such counties, the office of county school superintendent, and to place such duties with the county judges of such counties."

Sec. 3. Article 2701, Revised Civil Statutes of Texas, 1925, as amended, is hereby amended so as to hereafter read as follows:

"Art. 2701. Ex-officio superintendent.—In each county having no school superintendent, the county judge shall be ex-officio county superintendent and shall perform all the duties required of the county superintendent in this chapter. He shall give bond in the sum of One Thousand (\$1,000.00) Dollars, payable to and to be approved by the county board of school trustees of the respective counties and conditioned for the faithful performance of his duties. The county board shall name or appoint an assistant to the ex-officio county superintendent and shall provide for office and traveling of the ex-officio superintendent. The salary of the ex-officio superintendent of public instruction, the salary of the assistant ex-officio superintendent of public instruction and the office and traveling expenses for the office of the ex-officio superintendent in all counties in Texas shall be from and after September 1, 1947, paid from the State and County Available School Fund, and shall be received and retained in addition to all other compensation provided by law whether the county judge is compensated on a fee or salary basis."

Sec. 4. The compensation provided county judges acting as ex-officio county superintendents from whatever source shall be received and retained by them in addition to all other compensation provided by law.

Sec. 5. The provisions of this Act shall be cumulative of all other laws.

Sec. 6. This Act shall become operative on the first day of the month immediately succeeding the effective date hereof.

Sec. 7. If any clause, sentence, paragraph, section or provision of this Act shall be held invalid, such invalidity shall not affect the remainder of this Act and the remainder shall, nevertheless, remain in full force and effect.

Sec. 8. The fact that ex-officio county superintendents and their assistants perform the identical duties of the regularly elected superintendents and their assistants; that the Attorney General of Texas held in Attorney General's Opinion No. V-1262, dated August 28, 1951, that the compensation provided ex-officio county superintendents could not be retained by the county judges acting as ex-officio county superintendents of public instruction in addition to the salary prescribed by the commissioners courts; that additional duties and responsibilities have been placed on the county judges acting as ex-officio county superintendents of public instruction and that they should be entitled to receive and retain the compensation provided in this Act in addition to the compensation prescribed by the commissioners courts, whether they are compensated on a fee or salary basis, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

#### House Bill 71 on Second Reading

On motion of Senator Kazen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 71, A bill to be entitled "An Act amending the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, as amended, by amending Section 1, redefining 'hospital' and redefining 'laboratory'; redefining

'Narcotic drugs' and redefining 'Official written order'; repealing Section 4; providing for registration of manufacturers and wholesalers under the Federal Narcotic Laws; etc., and declaring an emergency."

The bill was read the second time.

Senator Rogers of Travis offered the following amendment to the bill:

Amend House Bill 71, Section 1, by striking out all of subsection 8 and inserting in lieu thereof the following:

Subsection 8. 'Hospital' means any institution for the care and treatment of the sick and injured, duly registered under the Federal Narcotic Laws as proper to be entrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist or veterinarian as defined herein.

The amendment was adopted.

Senator Rogers of Travis offered the following amendment to the bill:

Amend House Bill 71, Sec. 1, subsection (2) 'Licensed Physician.' Licensed Physicians for the purposes of this Act are defined as any person, duly licensed and whose license is current in all respects as issued by the Texas State Board of Medical Examiners.

The amendment was adopted.

On motion of Senator Kazen and by unanimous consent of the Senate the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 71 on Third Reading

Senator Kazen moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 71 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Fuller
Ashley	Hardeman
Bell	Kazen
Bracewell	Kelley
Colson	Lane
Corbin	Latimer

Lock	Rogers of Travis
Martin	Russell
McDonald	Rutherford
Moffett	Sadler
Moore	Secrest
Parkhouse	Shireman
Phillips	Strauss
Rogers	Wagon seller
of Childress	Weinert

#### Absent

Hazlewood	Willis
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Reports of Standing Committees

By unanimous consent Senator Fuller submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 921, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman

By unanimous consent, Senator Secrest submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 923, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 835, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman

By unanimous consent, Senator Ashley submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. C. R. No. 45, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ASHLEY, Chairman

By unanimous consent, Senator Bell submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 8, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BELL, Chairman

By unanimous consent, Senator Secrest submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. C. R. No. 120, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 882, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SECREST, Chairman

By unanimous consent Senator

Latimer submitted the following report:

Austin, Texas,  
May 20, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred H. B. No. 418, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LATIMER, Chairman

#### House Bill 920 on Second Reading

On motion of Senator Kelley and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 920, A bill to be entitled "An Act validating countywide election proceedings heretofore had for the issuance of county bonds for purposes of flood control, drainage or irrigation with certain exceptions, etc."

The bill was read second time and passed to third reading.

#### House Bill 920 on Third Reading

Senator Kelley moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 920 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert

#### Absent

Hazlewood

Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—30**

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	

**Absent**

Willis

**House Bill 525 on Third Reading**

On motion of Senator Latimer and by unanimous consent of the Senate, the regular order of business was suspended and the President laid before the Senate on its third reading the following bill:

H. B. No. 525, A bill to be entitled "An Act to amend Subsection A of Section 5 of H. B. No. 168, Acts 1947, Fiftieth Legislature, Chapter 352, regulating retirement compensation for State employees, by adding a provision entitling any member to his service retirement allowance who shall have completed twenty years or more of creditable service as a law enforcement officer of the Department of Public Safety, Game and Fish Commission, Liquor Control Board, of the State of Texas, and declaring an emergency."

The bill was read the third time and was passed.

**House Bill 886 on Second Reading**

On motion of Senator Rogers of Travis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 886, A bill to be entitled "An Act providing for a forty (40)

hour work week for certain State employees providing certain employees be required to work forty-eight (48) hours per week; etc., and declaring an emergency."

The bill was read the second time.

Senator Rogers of Travis offered the following committee amendment to the bill:

Amend H. B. No. 886 by deleting the first sentence of Section 1, and substituting therefor the following:

Section 1. All State employees who are employed in the offices of State departments or institutions or agencies, and who are paid on a full-time salary basis shall work forty (40) hours a week.

The committee amendment was adopted.

Senator Rogers of Travis offered the following committee amendment to the bill:

Amend House Bill 886, Section 1, second sentence, by inserting between the words "that" and "employees," the word "such."

The committee amendment was adopted.

Senator Rogers of Travis offered the following committee amendment to the bill:

Amend H. B. No. 886 by striking out all of Section 2 and inserting in lieu thereof the following:

Section 2. Except for the restrictions in Section 1, and except on legal holidays authorized by law, the office hours of State departments, institutions, and agencies shall be from 8:00 a.m. to 12 noon and from 1:00 p.m. to 5:00 p.m., Mondays through Fridays, and these shall be the regular hours of work for all full-time employees; and headquarters office shall be open on each Saturday from 8:00 a.m. to 12:00 noon with sufficient personnel on duty to carry out any necessary business for the department, institution, or agency. Where the executive head deems it necessary or advisable, offices may also be kept open during other hours and on other days, and the time worked on such other days, including Saturday morning, shall count toward the forty (40) hours per week which are required under Section 1. It is further provided that exceptions to the minimum length of

the work week may be made by the operating head of a state agency to take care of any emergency that may exist; provided, nothing herein shall apply to persons employed on an hourly basis.

Senator Rogers of Travis offered the following amendment to the committee amendment:

Amend committee amendment No. 3 to H. B. 886 by striking out the words "to 12 noon and from 1:00 p.m." where they appear on line 15 of the printed amendment.

The amendment to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

On motion of Senator Rogers of Travis and by unanimous consent of the Senate the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 886 on Third Reading

Senator Rogers of Travis moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 886 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	

#### Absent

Bell	Willis
Weinert	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—28

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	

#### Absent

Kelley	Willis
Weinert	

#### House Bill 249 on Second Reading

On motion of Senator Secrest and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 249, A bill to be entitled "An Act amending Section 5 of the Acts of 1943, Forty-eighth Legislature, pages 94, Chapter 68, as amended by Acts of 1947, Fiftieth Legislature, page 792, Chapter 393, being Article 5172a, Vernon's Texas Statutes, exempting employees of banks; and declaring an emergency."

The bill was read second time and passed to third reading.

#### Record of Vote

Senators Aikin and Martin asked to be recorded as voting "nay" on the passage of H. B. No. 249 to third reading.

#### House Bill 249 on Third Reading

Senator Secrest moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 249 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—23

Ashley	Colson
Bracewell	Corbin

Fuller	Phillips
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Latimer	Russell
Lock	Sadler
McDonald	Secrest
Moffett	Shireman
Moore	Strauss
Parkhouse	Wagonseller

**Nays—5**

Aikin	Martin
Hardeman	Rutherford
Lane	

**Absent**

Bell	Willis
Weinert	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—26**

Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Latimer	Shireman
Lock	Strauss
McDonald	Wagonseller
Moffett	Weinert
Moore	

**Nays—4**

Aikin	Lane
Hardeman	Martin

**Absent**

Willis

**House Bill 921 Ordered Not Printed**

On motion of Senator McDonald and by unanimous consent of the Senate H. B. No. 921 was ordered not printed.

**House Bill 835 Ordered Not Printed**

On motion of Senator Corbin and by unanimous consent of the Senate H. B. No. 835 was ordered not printed.

**House Bill 141 on Second Reading**

Senator Fuller asked unanimous consent to suspend the regular order

of business to take up for consideration at this time H. B. No. 141.

There was objection.

Senator Fuller moved to suspend the regular order of business to take up for consideration at this time H. B. No. 141.

The motion prevailed by the following vote:

**Yeas—20**

Bell	Rogers
Bracewell	of Childress
Fuller	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
McDonald	Strauss
Parkhouse	Wagonseller
Phillips	

**Nays—9**

Aikin	Lock
Ashley	Martin
Colson	Moore
Corbin	Weinert
Hardeman	

**Absent**

Moffett	Willis
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The President laid before the Senate for consideration at this time the following bill:

H. B. No. 141, A bill to be entitled "An Act to eliminate the disadvantage to Lamar State College of Technology, Beaumont, Texas, and Texas Southern University, Houston, Texas, occasioned by their exclusion from the benefits of the State tax to finance buildings at State institutions of higher learning; etc., and declaring an emergency."

The bill was read the second time.

Senator Lock offered the following amendment to the bill:

Amend H. B. 141 by striking out the date "September 1, 1953" wherever it appears and inserting in lieu thereof the following: "September 1, 1955."

On motion of Senator Fuller the amendment was tabled by the following vote:

**Yeas—16**

Bell	Bracewell
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Fuller	Rogers
Hazlewood	of Childress
Kelley	Rogers of Travis
Latimer	Russell
McDonald	Rutherford
Moffett	Secrest
Phillips	Strauss
	Wagonseller

**Nays—13**

Aikin	Martin
Ashley	Parkhouse
Colson	Sadler
Hardeman	Shireman
Kazen	Weinert
Lane	Willis
Lock	

**Absent**

Corbin	Moore
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Senator Martin offered the following amendment to the bill:

Amend H. B. 141 by adding a new section to be known as Section 12a to read as follows:

"Section 12a. Providing that should at any time during the 24-year period mentioned in Sec. 2 the Legislature of the State of Texas should make any appropriation for permanent improvements, then the provisions of this Act shall be suspended and terminated upon the effective date of such direct appropriation for permanent improvements.

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. 141 by striking out the four "whereas" paragraphs between the caption and the enacting clause.

The amendment was adopted.

Senator Bracewell asked unanimous consent of the Senate to reconsider the vote by which the Lock amendment was tabled.

There was no objection offered.

Question recurring on the amendment by Senator Lock, the amendment was adopted.

Senator Lock offered the following amendment to the bill:

Amend H. B. 141, Section 4, by striking out the words "and for purchasing necessary sites therefor."

Senator Bracewell offered the fol-

lowing substitute for the amendment by Senator Lock:

Amend H. B. 141, Section 4, by changing the semicolon after the word "therefor" to a comma and adding the following: "provided, however, that any purchase of land shall require approval by the Legislature;"

The substitute for the amendment was adopted.

The amendment, as substituted, was then adopted.

Senator Lock offered the following amendment to the bill:

Amend H. B. 141 by adding a new sentence at the end of Section 2 as follows:

"Each institution may pledge not to exceed \$125,000 per year of income authorized herein, and any excess shall be subject to legislative appropriation."

On motion of Senator Fuller the amendment was tabled by the following vote:

**Yeas—16**

Bell	Phillips
Bracewell	Rogers
Fuller	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Secrest
Latimer	Strauss
McDonald	Wagonseller
Moffett	

**Nays—13**

Aikin	Martin
Ashley	Moore
Colson	Sadler
Corbin	Shireman
Hardeman	Weinert
Lane	Willis
Lock	

**Absent**

Parkhouse	Rutherford
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The bill, as amended, was passed to third reading.

**Motion to Place  
House Bill 141 on Third Reading**

Senator Fuller moved that the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 141 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

**Yeas—19**

Aikin	Parkhouse
Bell	Phillips
Bracewell	Rogers
Fuller	of Childress
Kazen	Rogers of Travis
Kelley	Russell
Lane	Secrest
Latimer	Shireman
McDonald	Strauss
Moffett	Wagon seller

**Nays—10**

Ashley	Martin
Colson	Moore
Corbin	Sadler
Hardeman	Weinert
Lock	Willis

**Absent**

Hazlewood	Rutherford
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**Senate Resolution 292**

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery 12th Grade Class of May High School accompanied by Mr. and Mrs. J. L. Newbury, and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capitol City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ashley presented the students and Mr. and Mrs. Newbury to the Members of the Senate.

**Senate Resolution 293**

Senator Rogers of Childress offered the following resolution:

Whereas, We are honored today to have in the gallery 39 High School seniors of Littlefield, Texas, accom-

panied by Mrs. Eloise McDougal and Dalton M. Teague, teachers in Littlefield High School, and

Whereas, These student and guests are on an educational tour of the Capitol Building and the Capitol City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Rogers presented the students and Mrs. McDougal and Mr. Teague to the Members of the Senate.

**Senate Resolution 294**

Senator Russell offered the following resolution:

Whereas, We are honored today to have in the gallery 16 Seniors of Wylie High School accompanied by their teacher, P. M. Aiken; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capitol City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

**Bills and Resolutions Signed**

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 579, A bill to be entitled "An Act creating 'Upper Neches River Municipal Water Authority,' etc., and declaring an emergency."

H. B. No. 114, A bill to be entitled "An Act making an emergency appropriation to the State Department of Agriculture for the operating expenses for the remainder of the fiscal year ending August 31, 1953, provided for its expenditures under the general provisions of House Bill No. 426, Regular Session, Fifty-second Legislature; and declaring an emergency."

S. C. R. No. 35, Authorizing Youth Development to execute right-of-way easement to The Brazos Power Electric Cooperative, inc.

S. C. R. No. 50, Requesting the Texas Legislative Council to study the game and fish conservation laws of this State.

S. C. R. No. 52, Approving a proposed amendment to the Federal Power Act, to restrict the control over State and Municipally owned projects, and to repeal the provision under which the Federal Government may take over and own such projects after expiration of a Federal Power Commission License.

S. C. R. No. 58, Commending the novel "Rustler's Hill" by V. F. Taylor, a native Texan, Asst. Atty. General of Texas.

S. C. R. No. 43, Granting Board of Control permission to build storage building on east side of Capitol grounds to replace old building.

#### Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,  
May 20, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Chairman and Executive Director of the Texas Employment Commission for term to November 21, 1958 (effective July 1, 1953): Weldon Hart of Austin, Travis County.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas

House Concurrent Resolution 126  
on Second Reading

The President laid before the Sen-

ate for consideration at this time the following resolution:

H. C. R. No. 126, Suspending the Joint Rules of the House so as to permit the House to take up and consider H. B. 925 at any time.

The resolution was read the second time and was adopted.

(Senator Aikin in Chair.)

#### Senate Resolution 295

Senator Strauss offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Reuben Ashley, of San Saba, Texas;

Whereas, Mr. Ashley is the brother of our distinguished colleague, Senator Carlos Ashley, now, therefore, be it

Resolved, By the Senate that we officially welcome this distinguished guest and extend to him the courtesy of the floor for the day.

The resolution was read and was adopted.

Senator Strauss presented Mr. Ashley to the Members of the Senate.

#### House Concurrent Resolution 45 Ordered Not Printed

On motion of Senator Strauss and by unanimous consent of the Senate H. C. R. No. 45 was ordered not printed.

#### Conference Committee Report on House Joint Resolution 10

Senator Rogers of Childress submitted the following Conference Committee Report on H. J. R. No. 10:

Austin, Texas,  
May 20, 1953.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. J. R. No. 10, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

HARDEMAN

LANE

ROGERS of Childress

WEINERT

On the part of the Senate.

**BRADSHAW  
MAVERICK  
SAYERS  
KILGORE**

On the part of the House.

H. J. R. No. 10, Proposing an amendment to the Constitution of the State of Texas by repealing Section 2a of Article VI and by amending Sections 1 and 2 of Article VI so as to confer the privilege to vote upon members of the regular establishment of the United States Army, Navy, Marine Corps, or Air Force, or component branches thereof who are otherwise qualified electors, and so as to limit voting by persons in the military service of the United States to the county in which the voter resided at the time of entering such service; providing for submission of the proposed amendment to the qualified electors; providing for proclamation and publication by the Governor.

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

Section 1. That Section 2a of Article VI of the Constitution of the State of Texas be repealed and that Sections 1 and 2 of Article VI of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Section 1. The following classes of persons shall not be allowed to vote in this State, to-wit:

First: Persons under twenty-one (21) years of age.

Second: Idiots and lunatics.

Third: All paupers supported by any county.

Fourth: All persons convicted of any felony, subject to such exceptions as the Legislature may make."

"Section 2. Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall have resided in this State one year next preceding an election and the last six months within the district or county in which such person offers to vote, shall be deemed a qualified elector: and provided further, that any voter who is subject to pay a poll tax under the laws of the State of Texas shall have paid said tax before offering to vote at any election in this State and hold a receipt showing that said poll tax was

paid before the first day of February next preceding such election. Or if said voter shall have lost or misplaced said tax receipt, he or she, as the case may be, shall be entitled to vote upon making affidavit before any officer authorized to administer oaths that such tax receipt has been lost. Such affidavit shall be made in writing and left with the judge of the election. The husband may pay the poll tax of his wife and receive the receipt therefor. In like manner the wife may pay the poll tax of her husband and receive the receipt therefor. The Legislature may authorize absentee voting. And this provision of the Constitution shall be self-enacting without the necessity of further legislation. Any member of the Armed Forces of the United States or component branches thereof, or in the military service of the United States, may vote only in the county in which he or she resided at the time of entering such service so long as he or she is a member of the Armed Forces."

Section 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this State at the General Election to be held on the first Tuesday after the first Monday in November, A. D. 1954, at which all ballots shall have printed thereon the following:

"FOR the amendment of Sections 1 and 2 of Article VI of the Constitution of Texas so as to confer the privilege to vote upon members of the regular establishment of the United States Army, Navy, Marine Corps, or Air Force, or component branches thereof, who are otherwise qualified electors; and so as to limit voting by persons in the military service of the United States to the county in which the voter resided at the time of entering such service; and for the repeal of Section 2a of Article VI of the Constitution, which now permits qualified electors in military service to vote without payment of a poll tax in time of war."

"AGAINST the amendment of Sections 1 and 2 of Article VI of the Constitution of Texas so as to confer the privileges to vote upon members of the regular establishment of the United States Army, Navy, Marine Corps, or Air Force, or component branches thereof, who are otherwise qualified electors; and so as to limit voting by persons in the military

service of the United States to the county in which the voter resided at the time of entering such service; and for the repeal of Section 2a of Article VI of the Constitution, which now permits qualified electors in military service to vote without payment of a poll tax in time of war."

Section 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State.

The report was read and was adopted by the following vote:

## Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Russell
Hardeman	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

## Absent

Hazlewood                  Rogers of Travis

## House Bill 863 on Second Reading

On motion of Senator Russell, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 863, A bill to be entitled "An Act creating in the Treasury a Youth Development Council Fund, providing for the transfer of the accumulated balances from the Old Age Assistance Fund, Children's Assistance Fund, and the Blind Assistance Fund to the Youth Development Fund and appropriating a portion of the same to the Gainesville State School for Girls, to the Youth Development Council Central Office and the Youth Development Council; repealing all laws or parts of laws in conflict; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to third reading.

## House Bill 863 on Third Reading

Senator Russell moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 863 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—23

Aikin	Parkhouse
Bell	Phillips
Colson	Rogers
Fuller	of Childress
Hazlewood	Russell
Kazen	Rutherford
Latimer	Sadler
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagonseller
Moore	Willis

## Nays—5

Ashley	Lane
Corbin	Weinert
Hardeman	

## Absent

Bracewell	Rogers of Travis
Kelley	

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 252 With House Amendments

Senator Sadler called S. B. No. 252 from the President's table for consideration of the House amendments to the bill.

The presiding officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Sadler moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

## Yeas—29

Aikin	Kazen
Ashley	Kelley
Bell	Lane
Bracewell	Latimer
Colson	Lock
Fuller	Martin
Hardeman	McDonald
Hazlewood	Moffett

Moore	Rutherford
Parkhouse	Sadler
Phillips	Shireman
Rogers	Strauss
of Childress	Wagon seller
Rogers of Travis	Weinert
Russell	Willis

**Absent**

Corbin	Secrest
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**House Bill 135 on Second Reading**

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 135, A bill to be entitled "An Act to amend Section 37 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature and known as Chapter 61, page 100, of the General Laws passed by the Second Called Session of the 41st Legislature, and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 135 on Third Reading**

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—24**

Aikin	Parkhouse
Ashley	Phillips
Bell	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Kazen	Sadler
Kelley	Strauss
Latimer	Wagon seller
Lock	Weinert
McDonald	Willis
Moore	

**Nays—3**

Hardeman	Martin
Lane	

**Absent**

Hazlewood	Secrest
Moffett	Shireman

**(President in the Chair.)**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Record of Vote**

Senator Hardeman and Lane asked to be recorded as voting "nay" on the final passage of H. B. No. 135.

**House Bill 39 on Third Reading**

Senator Bell asked unanimous consent to suspend the regular order to take up H. B. No. 39.

There was objection.

Senator Bell then moved to suspend the regular order and place H. B. No. 39 on third reading.

The motion prevailed by the following vote:

**Yeas—20**

Bell	Moore
Bracewell	Parkhouse
Colson	Rogers
Corbin	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Moffett	

**Nays—9**

Aikin	Phillips
Ashley	Sadler
Hardeman	Weinert
Martin	Willis
McDonald	

**Absent**

Fuller	Secrest
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The President laid before the Senate on third reading, the following bill:

H. B. No. 39, A bill to be entitled "An Act repealing House Bill No. 223, Chapter 141, Acts of the Fifty-second Legislature, Regular Session, 1951; re-enacting and amending Sections 140, 141, and 142, Article XV of Senate Bill No. 172, Chapter 421, Acts of the Fiftieth Legislature, Regular Session, 1947; providing for the compulsory inspection, adjustment, correction or repair of motor vehicles,

trailers, semi-trailers, pole trailers and house trailers under the supervision of the Texas Department of Public Safety; etc.; and declaring an emergency."

The bill was read the third time and was passed by the following vote:

## Yeas—19

Bell	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Rogers
Fuller	of Childress
Hazlewood	Rogers of Travis
Kazen	Rutherford
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller

## Nays—12

Aikin	Phillips
Ashley	Russell
Hardeman	Sadler
Lock	Secrest
Martin	Weinert
McDonald	Willis

Committee Substitute  
House Bill 441 on Second Reading

On motion of Senator Rogers of Childress and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 441, A bill to be entitled "An Act amending Section 7, House Bill 611, Chapter 562, page 914, General Laws of the State of Texas, Regular Session, 47th Legislature, Acts of 1941, being Section 7 of Article 695c, Vernon's Texas Civil Statutes, by adding a new section to be known as Section 7-A; creating a new Division within the State Department of Public Welfare to be known as the 'Commodity Distribution Division'; etc., and declaring an emergency."

The bill was read the second time.

Senator Hardeman offered the following amendment to the bill:

Amend Committee Substitute for H. B. 441, Section 1, fifth paragraph beginning with the words "It is provided further that the money to be assessed," by deleting the first two sentences of said paragraph and substituting therefor the following:

"It is provided further that the

money to be assessed shall be paid to the State Department of Public Welfare and shall be used for no other purposes except for the necessary economic operation of the program subject to rules and regulations which may be established by the State Department of Public Welfare, by the provisions of this Act, and by the provisions of the general appropriations acts of the Legislature. The funds received by the State Department of Public Welfare shall be deposited in a separate account in the State Treasury, and shall be subject to withdrawals upon authorization by the Executive Director of said Department."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. 441 by deleting section 2 in its entirety, and substituting therefor the following:

Section 2. Out of the assessments levied for the handling of the commodities, there is hereby appropriated the sum of Seventeen Thousand (\$17,000) dollars for the fiscal year ending August 31, 1953; and for each year of the biennium beginning September 1, 1953, there is also appropriated the following amounts:

	For the Years Ending	
	Aug. 31, 1954	Aug. 31, 1955
Director of Commodity Distribution .....	\$ 6,000	\$ 6,000
Secretary .....	2,768	2,768
Processing Supervisor (Allocations) .....	3,732	3,732
Senior Accountant .....	4,140	4,140
Clerks, 2 at \$2,768 .....	5,536	5,536
Stenographers, 2 at \$2,580 .....	5,160	5,160
Sub-total, salaries .....	\$27,336	\$27,336
Travel .....	6,600	6,660
Other operating expenses, including communications, stamps, telephone, rent, bond premiums, supplies, printing and stationery .....	5,600	5,600
Office furniture and equipment .....	2,000	2,000
For initially creating revolving funds .....	17,000	
Grand Total .....	\$58,536	\$41,536

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend Committee Substitute for H. B. 441, Section 1, fifth paragraph, by deleting the last sentence in its entirety and substituting therefor the following:

Creation and reimbursement of said revolving fund shall be paid out of assessments collected by the State Department of Public Welfare from the recipients of commodities.

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend C. S. H. B. 441 by adding a new section to be known as Section 2a, to read as follows:

"Section 2a. The provisions of this Act shall expire and shall be of no further force and effect upon the termination of the surplus commodity distribution program by the Federal Government or by any agency of the United States Government and, further, the Commodity Distribution Division of the State Department of Public Welfare created herein shall be immediately liquidated and any unexpended balances of funds derived from any source and appropriated herein for such Commodity Distribution Division and for the Surplus Commodity Distribution program shall revert to and become a part of the General Revenue Fund of the State."

The amendment was adopted.

On motion of Senator Hardeman, and by unanimous consent of the Senate, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### Committee Substitute House Bill 441 on Third Reading

Senator Rogers of Childress moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 441 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—26

Aikin

Bell

Colson  
Corbin  
Fuller  
Hazlewood  
Kazen  
Kelley  
Lane  
Latimer  
Lock  
Martin  
McDonald  
Moffett  
Moore

Parkhouse  
Phillips  
Rogers  
of Childress  
Rogers of Travis  
Russell  
Rutherford  
Sadler  
Secrest  
Shireman  
Wagon seller  
Willis

Nays—1

Hardeman

Absent

Ashley  
Bracewell

Strauss  
Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin  
Bell  
Colson  
Corbin  
Fuller  
Hazlewood  
Kazen  
Kelley  
Lane  
Latimer  
Lock  
Martin  
McDonald  
Moffett

Moore  
Parkhouse  
Phillips  
Rogers  
of Childress  
Rogers of Travis  
Russell  
Rutherford  
Sadler  
Secrest  
Shireman  
Strauss  
Wagon seller  
Willis

Nays—1

Hardeman

Absent

Ashley  
Bracewell

Weinert

#### Senate Concurrent Resolution 61

Senator Hardeman offered the following resolution:

S. C. R. No. 61, Suspend Joint Rules to consider S. B. No. 247.

Be it resolved, by the Senate of Texas, the House of Representatives concurring, that the Joint Rules be suspended so as to permit consideration of S. B. No. 247 at any time.

HARDEMAN  
BELL

The resolution was read and was adopted.

**Message From the Governor**

The President laid before the Senate and directed the Reading Clerk to read the following message received from the Governor:

Austin, Texas,  
May 20, 1953.

To the Members of the Fifty-third Legislature.

Complying with Senate Concurrent Resolution No. 60, I am returning herewith Senate Bill No. 42.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

**House Concurrent Resolution 121  
on Second Reading**

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 121, A resolution authorizing the Enrolling Clerk to make certain changes in H. B. No. 70.

The resolution was read.

On motion of Senator Fuller, and by unanimous consent the resolution was considered immediately and was adopted.

**House Concurrent Resolution 98  
on Second Reading**

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 98, Directing the Texas Legislative Council to inventory the lands owned by the State and compile information relating thereto.

The resolution was read the second time and was adopted.

**Senate Concurrent Resolution 62**

Senator Lane offered the following resolution:

S. C. R. No. 62, Suspending Joint Rules to consider H. B. No. 741.

Be it resolved, by the Senate, the House concurring, that the Joint Rules be suspended so that H. B. No. 741 may be taken up and considered at any time.

The resolution was read.

Senator Lane asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Lane then moved to suspend the regular order of business to consider S. C. R. No. 62 at this time.

The motion prevailed by the following vote:

**Yeas—18**

Aikin	Lock
Bell	McDonald
Colson	Moffett
Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Russell
Kazen	Sadler
Kelley	Secrest
Lane	Shireman

**Nays—6**

Martin	Strauss
Rogers of Travis	Wagonseller
Rutherford	Willis

**Absent**

Ashley	Moore
Bracewell	Rogers
Corbin	of Childress
Latimer	Weinert

The resolution was read the second time and was adopted by the following vote:

**Yeas—16**

Aikin	Lock
Bell	McDonald
Bracewell	Moffett
Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Rogers
Kazen	of Childress
Lane	Shireman
Latimer	

**Nays—12**

Corbin	Rutherford
Kelley	Sadler
Martin	Secrest
Moore	Strauss
Rogers of Travis	Wagonseller
Russell	Willis

**Absent**

Ashley	Weinert
Colson	

**House Bill 635 on Second Reading**

On motion of Senator Russell, and

by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 635, A bill to be entitled "An Act to amend Section 6, Chapter 42, General Laws, Second Called Session, Forty-first Legislature, 1929, as amended by Section 4, Chapter 71, Forty-seventh Legislature, 1941, as amended by Section 1, Chapter 116, Fifty-second Legislature, to provide that owners and operators of commercial vehicles apprehended when carrying a greater gross load than that for which said vehicles are licensed shall raise the registration of the vehicles at the nearest available County Tax Assessor-Collector's Office to an amount equal to the gross weight of the vehicles at the time of apprehension; providing such total registration shall not exceed the legal gross weight allowed for such vehicle; providing that the additional registration shall be retroactive to date of purchase of current license; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 635 on Third Reading

Senator Russell moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 635 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Waconseller
McDonald	Willis
Moffett	

#### Absent

Ashley	Weinert
Hazlewood	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Vote

Senator Sadler asked to be recorded as voting "nay" on the final passage of H. B. No. 635.

#### House Bill 353 on Second Reading

On motion of Senator Corbin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 353, A bill to be entitled "An Act amending Section 10, House Bill 69, Acts of the 51st Legislature, Regular Session, 1949 (Section 10 of Article 4590d, Revised Civil Statutes of Texas, 1925), by providing grounds for refusal of and cancellation, revocation and suspension of licenses, providing for the powers and duties of the State Board of Naturopathic Examiners in connection with the foregoing; and to amend the above act by adding a new section providing that the State Board of Naturopathic Examiners shall not accept any additional applications under the provisions of Section 12 of said Act after the effective date of this Act; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 353 on Third Reading

Senator Corbin moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 353 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Kazen
Bell	Kelley
Bracewell	Lane
Colson	Latimer
Corbin	Lock
Fuller	Martin
Hardeman	McDonald
Hazlewood	Moffett

Moore	Sadler
Parkhouse	Secrest
Phillips	Shireman
Rogers	Strauss
of Childress	Wagonseller
Rogers of Travis	Weinert
Russell	Willis
Rutherford	

Absent

Ashley

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Parkhouse
Bell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis
Moore	

Absent

Ashley	Kelley
Bracewell	

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
May 20, 1953.

Sirs: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 60, Requesting the Governor to return S. B. No. 42 to the Senate.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives

#### Adjournment

On motion of Senator Strauss the Senate at 5:12 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

#### SIXTY-SIXTH DAY

(Thursday, May 21, 1953)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Holy Father, we give to thee our grateful thanks for the stillness of the night; for the relaxing and refreshing sleep, and the dawning of new day with its privileges and opportunities. We pray that the words of our mouths and the meditations of our hearts may be acceptable in thy sight this day. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Prayers of Chaplain Ordered Printed in Journal

On motion of Senator McDonald, and by unanimous consent of the Senate the prayers of the Chaplain for each day of the session were ordered printed in the Journal.

#### Message From the House

Hall of the House of Representatives.  
Austin, Texas,  
May 21, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to